



City of El Paso – City Plan Commission Staff Report

Case No: SUSU12-00045 Homestead Meadows South Unit 1 Replat “B”
Application Type: Resubdivision Combination
CPC Hearing Date: May 31, 2012

Staff Planner: Justin Bass, (915) 541-4930, bassjd@elpasotexas.gov
Location: West of Desert Meadows Drive and North of Greg Drive
Acreage: 2.50 acres
Rep District: ETJ
Existing Use: Single Family Residential Development, Commercial, & Vacant
Existing Zoning: ETJ
Proposed Zoning: ETJ

Nearest Park: Eastside Regional Park (6.00 miles)
Nearest School: East Montana Middle School (0.22-mile)
Park Fees Required: \$4,130.00
Impact Fee Area: This property is in the Eastside Impact Fee Service Area and is subject to impact fees.

Property Owner: Jose & Eloisa Rodriquez
Applicant: CAD Consulting Company
Representative: CAD Consulting Company

SURROUNDING ZONING AND LAND USE

North: ETJ/ Single Family Residential Development
South: ETJ/ Single Family Residential Development
East: ETJ/ Commercial
West: ETJ/ Single Family Residential Development & Vacant

PLAN EL PASO DESIGNATION: O6 Potential Annexation.

APPLICATION DESCRIPTION

The subdivider proposes to replat the subject property to create four lots, two residential lots along Desert Meadows Drive and two commercial lots along Mark Jason Drive. Proposed access will remain from both rights-of-way. The subdivision is being reviewed under the code in effect as of August 12, 2010; however, the applicant has elected the use Section 19.10.050 of the current code allowing the City Plan Commission to waive right-of-way improvements:

Desert Meadows Drive is an existing 60-ft major arterial right-of-way, which is considered to be substandard. The subdivision code requires a minimum 98-ft cross-section, to include 66-ft of

pavement, a 14-ft raised median, 4-ft parkways and 5-ft sidewalks on each side of the street. The applicant proposes only to dedicate his proportionate share of right-of-way (19-feet) with no improvements. Mark Jason Drive is an existing 60-ft local right-of-way, which is considered to be substandard. The subdivision code requires a minimum 50-ft cross-section, to include 32-ft of pavement, 4-ft parkways and 5-ft sidewalks on each side of the street. Per Section 19.10.050(A)1 of the subdivision code, the City Plan Commission may waive the requirement to dedicate and improve the substandard rights-of-way if any of the following factors are met:

- a. Fifty per cent of the lots within a quarter mile of the proposed development have already been developed and the existing street improvements are in character with the neighborhood and have sufficient capacity to handle the increase in traffic to be generated by the proposed development; or,*
- b. The plat is located within the City of El Paso's Extraterritorial Jurisdiction area, is not within the city's annexation path and written documentation from the County of El Paso has been received stating that the substandard road meets all County requirements and the County is willing to accept the dedication of the substandard road;*
- c. For all plats located in the City of El Paso's Extraterritorial Jurisdiction area, written concurrence from the County of El Paso is required prior to the waiver of any dedication and/or improvements.*

Staff finds that factor (a) does apply in this situation.

The subdivision code does not permit residential lot frontage on arterial streets by right. Desert Meadows Drive is designated as a major arterial on the Major Thoroughfare Plan. However, per Section 19.15.060(F), the City Plan Commission must make an exception that the proposed subdivision meets at least one of the criteria listed in that section:

- 1. Where residential lot frontage is provided from an arterial street on an adjoining property, and the city plan commission determines that a public benefit would result from permitting the proposed development to be similarly designed; or*
- 2. Where the only street frontage which may be provided to the residential lots is from an arterial street due to the shape, topography or other physical condition of the property; or*
- 3. Where otherwise an exception is granted by the city plan commission as provided in Chapter 19.48 of this title...(The applicant has not requested an exception and therefore would not qualify for Criterion 3)*
- 4. Where residential lot frontage is permitted on an arterial street, the lots shall be designed and dimensioned to permit loop driveways or on-site turnaround facilities so that vehicles head into the arterial street.*

Staff finds that criterion (1) does apply in this situation.

DEVELOPMENT COORDINATING COMMITTEE

The Development Coordinating Committee recommends **approval** of the waiver for right-of-way improvements in accordance with Section 19.10.050(A)1, **approval** of the exception in accordance with Section 19.15.060(F), and **approval** of Homestead Meadows South Unit 1 Replat "B" on a **Resubdivision Combination** basis subject to the following conditions and requirements:

Planning Division Recommendation:

Approval with waiver and exception. In this case, more than fifty percent (50%) of the lots within a quarter mile of the subject property are developed; and the existing Desert Meadows Drive and Mark Jason Drive rights-of-way are in character with the surrounding neighborhood and operate at its intended capacity. The exception request meets Criterion 1 under Section 19.15.060(F).

City Development Department - Land Development

We have reviewed subject plan and recommend **Approval**.

No Objection

Engineering Geotechnical Report shall be submitted along with the improvements plan.

Planning – Transportation

Desert Meadows Drive is designated as a major arterial on the MTP. Cross-section provided does not comply with Section 19.15.060.a (DSC Standards Met) of the El Paso City Code. 10' parkway (to include 5' sidewalks) and 40' pavement are required.

The proposed subdivision does not comply with Section 19.15.060.F (Lots Accessing Arterial Streets) as the two proposed residential lots are fronting on Desert Meadows Drive which is designated as a major arterial on the MTP.

Cross-section provided for Mark Jason does not comply with Section 19.15.060.a (DSC Standards Met) of the El Paso City Code. 10' parkway (to include 5' sidewalks) is required and an additional 5' pavement is required.

Sidewalks shall be provided along Desert Meadows South as per Section 19.21 (Sidewalks) of the El Paso City Code. ***(Sidewalks are requested to be waived in accordance with Section 19.10.050(A))***

Remove fencing from proposed dedicated row.

Note:

All existing / proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) within public rights-of-way shall be in compliance with current ADA/TAS rules and regulations and the current City of El Paso Design Standards for Construction.

Parks and Recreation Department

We have re-reviewed **Homestead Meadows South #1 Replat 'B'**, a resubdivision combination plat map, and offer Developer / Engineer the following "revised" comments:

Please note that this subdivision is located with-in the City of El Paso Extra Territorial Jurisdiction (ETJ) area and within the **South Montana** area of potential annexation by the City, thus subject to the calculation for Parks & Open Space ordinance Title 19 - Subdivision & Development Plats, **Chapter 19.20** as noted below.

Section 19.20.020 - Dedication Required

- A. Dedication Required.** All subdivisions located within the corporate limits of the City of El Paso and within those areas designated in the City's extra territorial jurisdiction (ETJ), as identified on an official map kept in the Development Services Department.

Also, please note that subdivisions within the ETJ do not have a zoning district designation,

however, per preliminary covenants, applicant is proposing Single-family dwelling units for Lots 1, 2, Block 16 and general commercial use for Lots 3 & 4, Block 16; "Park fees" will be assessed based on these two restrictions and applicant shall be required to pay "park fees" in the amount of **\$4,130.00** based on the following calculations:

2 lots restricted to one Single-family dwelling unit per lot @ \$1,370.00 / dwelling = **\$2,740.00**

Non-residential acreage 1.39 (rounded to two decimals) @ \$1,000.00 / acre = **\$1,390.00**

Total "Park fees" Due = \$4,130.00

Please allocate funds under Park Zone **E-9**:

Nearest Parks with-in adjacent zone: **Tim Foster Park** & **Tierra Del Este Unit 50-A & B Parks**

If density /acreage is increased /decreased or the property zoning /use changes, then fees will be re-assessed based on applicable conditions.

El Paso Water Utilities

We have reviewed the subdivision referenced above and provide the following comments:

1. Modify the meter fee on Final Engineering Report page with the current \$900.00 per ¾" meter connecting to 8-inch main.
2. The subject property is located within the City of El Paso Eastside Impact Fee Service Area. Impact fees will be assessed at the time of Replat and collected after the El Paso Water Utilities receives an application for water and sanitary sewer services.

Water

3. There is an existing 8-inch diameter water main along Desert Meadows Drive. Also, there is an existing 8-inch diameter water main along Mark Jason Drive.
4. EPWU records indicate there are two active ¾-inch water meters serving the subject property (Lot 1 - and Lot 4 with 3488 Desert Meadows Drive 3511 Mark Jason Drive as the service addresses respectively)

Sanitary Sewer

5. There are no public sanitary sewer mains fronting the subject property along Desert Meadows Drive or Mark Jason Drive. A License of Approval for an on-site sewage disposal system, issued by the OSSF (On-Site Sewage Facility) Program of El Paso County, is required at the time of application for any additional water service.

General:

6. Application for additional water services should be made 6 to 8 weeks prior to construction to ensure water for construction work. New service applications are available at 1154 Hawkins, 3rd Floor. A site plan, utility plan, grading and drainage plans, landscaping plan, the legal description of the property and a certificate-of-compliance are required at the time of application. Service will be provided in accordance with the current EPWU – PSB Rules and Regulations. The applicant is responsible for the costs of any necessary on-site and off-site extensions, relocations or adjustments of water lines and appurtenances.

EPWU Stormwater Division

No comments received.

El Paso Fire Department

No comments received.

911

No comments received.

Sun Metro

No comments received.

Central Appraisal District

No comments received.

El Paso Electric Company

No comments received.

Texas Gas Company

No comments received.

Clint Independent School District

No comments received.

Additional Requirements and General Comments:

1. Submit to the City Development Department – Planning Division the following prior to recording of the subdivision.
 - a. Current certified tax certificate(s)
 - b. Current proof of ownership
 - c. Release of access document, if applicable
 - d. Set of restrictive covenants, if applicable
2. Every subdivision shall provide for postal delivery service. The subdivider shall coordinate the installation and construction with the United States Postal Service in determining the type of delivery service for the proposed subdivision. In all cases, the type and location of delivery service shall be subject to the approval of the United States Postal Service.
3. The property is subject to impact fees. The table and respective language shall be included on the face of the final approved and recorded plat. Impact fees shall be calculated based on the table below:

Chapter 395 of the Texas Local Government Code authorizes the City of El Paso to adopt and impose water and wastewater impact fees. This plat note fulfills an obligation mandated by Chapter 395 and sets the assessment of the impact fees in accordance with the impact fee schedule adopted by City Council as set forth below. The collection of the impact fee for this subdivision shall be prior to the time a building permit is issued if development is within the city limits or at the time of the meter connection if development is outside the city limits.

Eastside Service Area

Meter Size	Meter Capacity Ratio	Water*	Wastewater
Less than 1 inch	1.00	\$697.00	\$920.00
1 inch	1.67	\$1,163.00	\$1,537.00
1½ inch	3.33	\$2,321.00	\$3,065.00
2 inch	5.33	\$3,714.00	\$4,905.00
3 inch	10.00	\$6,968.00	\$9,203.00
4 inch	16.67	\$11,615.00	\$15,341.00
6 inch	33.33	\$23,223.00	\$30,672.00
8 inch	53.33	\$37,158.00	\$49,077.00
10 inch	76.67	\$40,064.00	\$52,916.00
12 inch	143.33	\$74,899.00	\$98,924.00

***Fees do not apply to water meter or connections made for standby fire protection service**

Attachments

1. Location map
2. Aerial map
3. Preliminary plat
4. Final plat
5. Waiver request
6. Cross-sections
7. Application

ATTACHMENT 1



ATTACHMENT 2



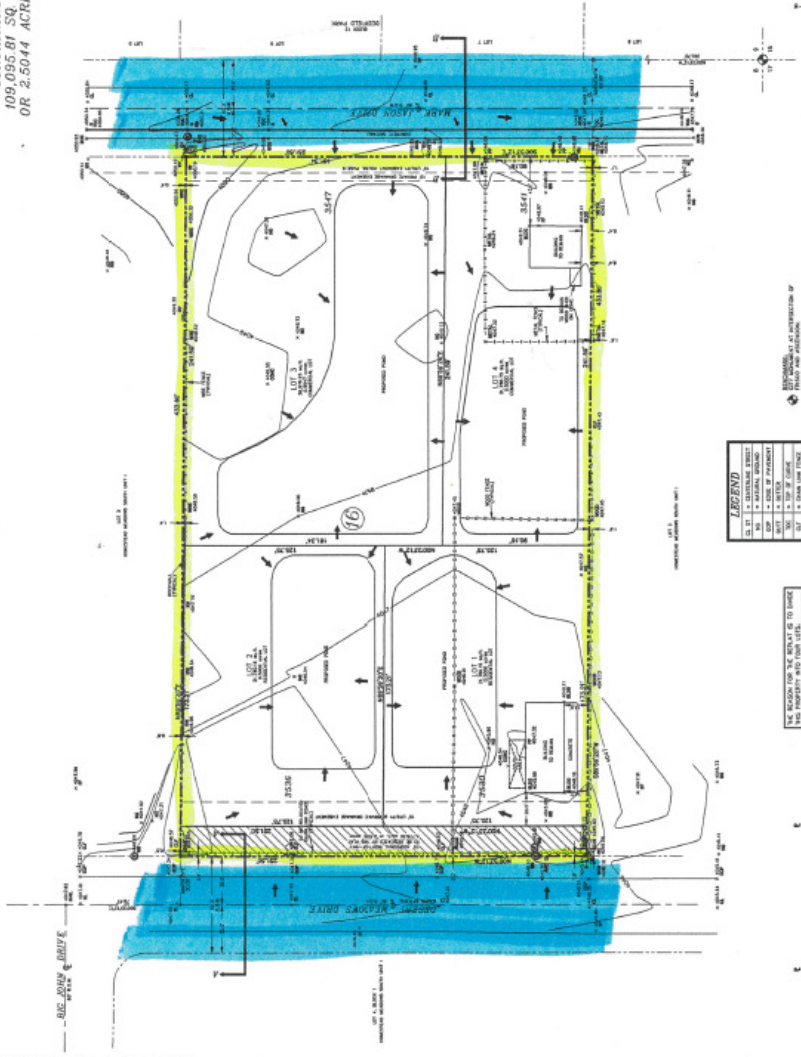
ATTACHMENT 3

**HOMESTEAD MEADOWS
SOUTH UNIT I REPLAT "I"**
BEING A REPLAT OF THE NORTH 1/2 OF LOT 3, BLOCK 1,
HOMESTEAD MEADOWS SOUTH UNIT I REPLAT
EL PASO COUNTY, TEXAS
CONTAINING:
109,095.81 SQ. FT.
OR 2.5044 ACRES ±



PLAT NOTES AND REVISIONS

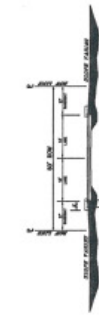
1. Buildings and site improvements shown on this plat are shown as existing conditions. The plat is based on a survey of the property and the plat is subject to the provisions of the Texas Subdivision Act, Chapter 208, Texas Property Code, and the Texas Subdivision Act, Chapter 209, Texas Property Code.
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LEGEND

1. 1/2" WIDE EASEMENT	1. 1/2" WIDE EASEMENT
2. 1/2" WIDE EASEMENT	2. 1/2" WIDE EASEMENT
3. 1/2" WIDE EASEMENT	3. 1/2" WIDE EASEMENT
4. 1/2" WIDE EASEMENT	4. 1/2" WIDE EASEMENT
5. 1/2" WIDE EASEMENT	5. 1/2" WIDE EASEMENT
6. 1/2" WIDE EASEMENT	6. 1/2" WIDE EASEMENT
7. 1/2" WIDE EASEMENT	7. 1/2" WIDE EASEMENT
8. 1/2" WIDE EASEMENT	8. 1/2" WIDE EASEMENT
9. 1/2" WIDE EASEMENT	9. 1/2" WIDE EASEMENT
10. 1/2" WIDE EASEMENT	10. 1/2" WIDE EASEMENT

NOT TO SCALE
SEE PLAT FOR DETAILS OF TO BE DONE
THE PROPERTY IS NOT TO BE USED

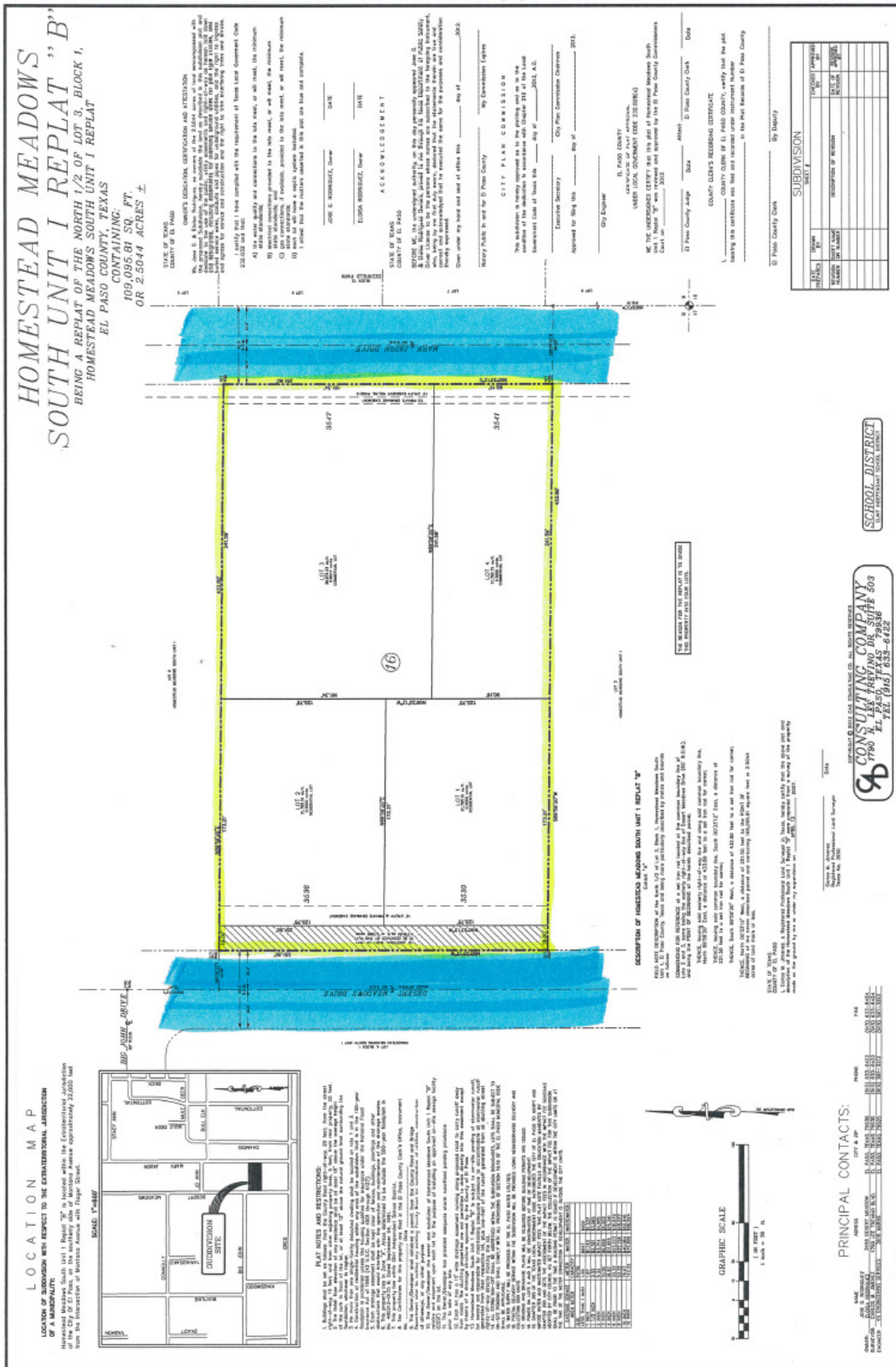


PRINCIPAL CONTACTS:

NAME	ADDRESS	CITY & ST.	PHONE
OWNER	1700 N. LEROY TRISTANO DR. SUITE 503	EL PASO, TEXAS 79906	(915) 833-4423
PREPARED BY	CONSULTING COMPANY	1700 N. LEROY TRISTANO DR. SUITE 503	EL PASO, TEXAS 79906
DATE	1/1/12		

CONSULTING COMPANY
1700 N. LEROY TRISTANO DR. SUITE 503
EL PASO, TEXAS 79906
(915) 833-4423

ATTACHMENT 4



ATTACHMENT 5



April 26, 2012

To: City of El Paso Development Services Department

Att: Raul Garcia

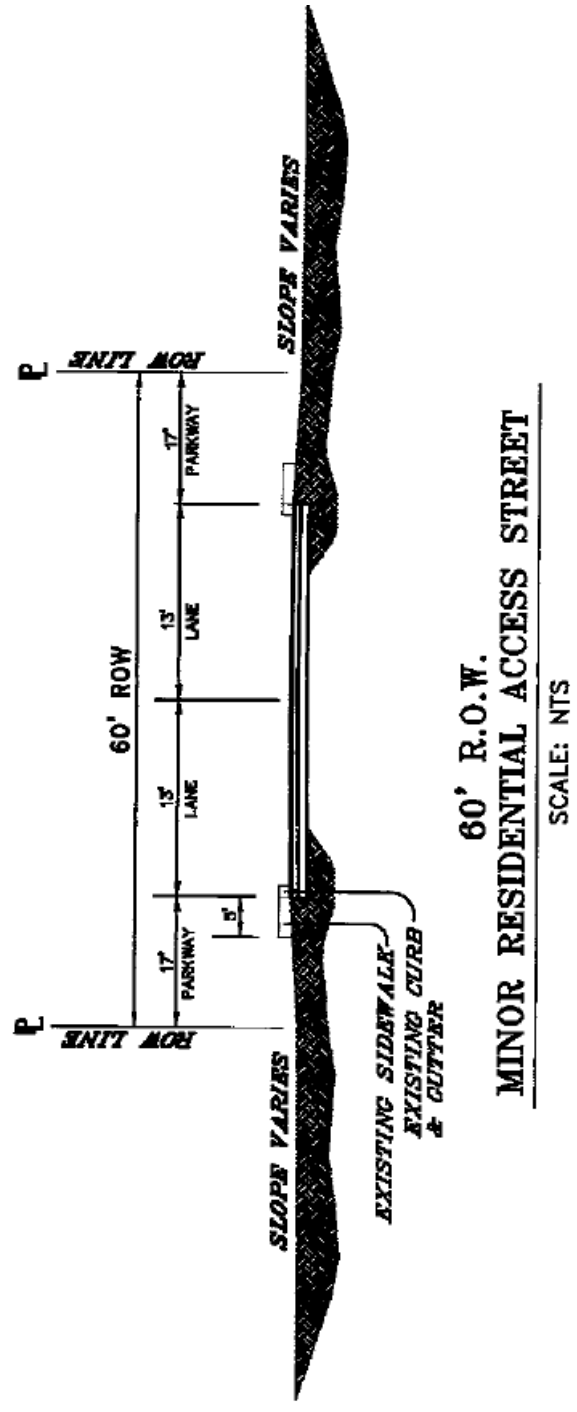
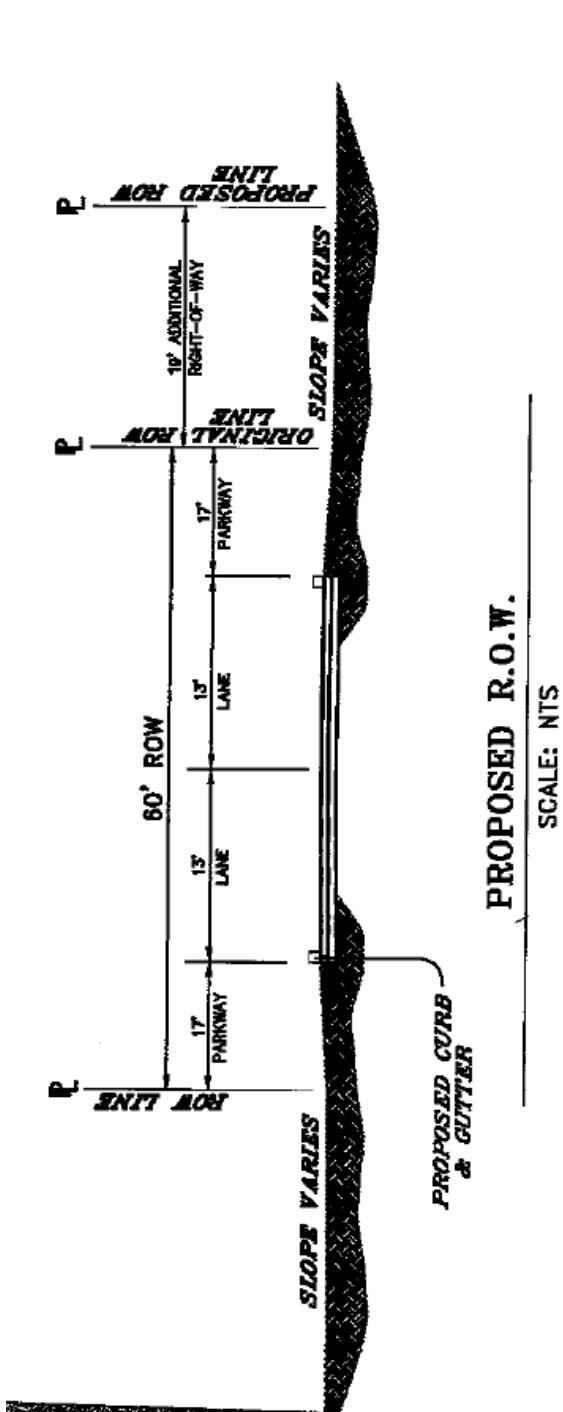
This is a request for a modification of Deferred Construction of Improvements in the ETJ, to waive the requirements for sidewalks, curb and gutter for Homestead Meadows South Unit 1 Replat "B". This is because there are no other properties around this property with Curb and Gutter and Sidewalks and where there is, it is because it was done by a county grant for the school district. The Central Appraisal District has the property valued at \$15,462 which is much less than the proposed \$37,000 value to build the curb, gutter, sidewalks and the requested 6.5 feet of additional pavement that the City of El Paso Traffic Department is requesting. We would like for the City of El Paso to use Code 19.11.050 from the new code book for the vesting request.

If you have any questions concerning this letter please feel free to call me at 633-6422.

Thank You

Carlos M. Jimenez
Cad Consulting Co.
1790 N. lee Trevino, Ste. 503
El Paso, TX 79936

ATTACHMENT 6



ATTACHMENT 7



CITY PLAN COMMISSION APPLICATION FOR RESUBDIVISION COMBINATION APPROVAL

DATE: _____

FILE NO. SUSU12-00045

SUBDIVISION NAME: HOMESTEAD MEADOWS SOUTH UNIT 1 REPLAT B

1. Legal description for the area included on this plat (Tract, Block, Grant, etc.)
THE NORTH 1/2 OF LOT 3, BLOCK 1
HOMESTEAD MEADOWS SOUTH UNIT 1
2. Property Land Uses:

	ACRES	SITES		ACRES	SITES
Single-family	<u>0.9120</u>	<u>3</u>	Office	_____	_____
Duplex	_____	_____	Street & Alley	_____	_____
Apartment	_____	_____	Ponding & Drainage	_____	_____
Mobile Home	_____	_____	Institutional	_____	_____
P.U.D.	_____	_____	Other (specify below)	_____	_____
Park	_____	_____	_____	_____	_____
School	_____	_____	Total No. Sites	_____	<u>4</u>
Commercial	<u>1.4835</u>	<u>2</u>	Total (Gross) Acreage	<u>2.5044</u>	_____
Industrial	_____	_____			
3. What is existing zoning of the above described property? _____ Proposed zoning? _____
4. Will the residential sites, as proposed, permit development in full compliance with all zoning requirements of the existing residential zone(s)? Yes ☒ No ☐
5. What type of utility easements are proposed: Underground _____ Overhead _____ Combination of Both ☒
6. What type of drainage is proposed? (If applicable, list more than one)
ON-SITE PONDING
7. Are special public improvements proposed in connection with development? Yes _____ No ☒
8. Is a modification or exception of any portion of the Subdivision Ordinance proposed? Yes _____ No ☒
If answer is "Yes", please explain the nature of the modification or exception _____
9. Remarks and/or explanation of special circumstances: _____
10. Improvement Plans submitted? Yes _____ No _____
11. Will the proposed subdivision require the city to review and decide whether this application is subject to the standards in effect prior to the effective date of the current applicable standards? Yes _____ No ☒
If yes, please submit a vested _____ rights petition in accordance with Section 19.47- Vested Rights (See Attached).

12. Owner of record JOSE G. & ELONA RODRIGUEZ 383-4424
(Name & Address) (Zip) (Phone)
13. ^{Surveyor} Developer CAD CONSULTING CO. 1790 LEE TAVEN 633-6423
(Name & Address) (Zip) (Phone)
14. Engineer HS ENGINEERING 3616 MCRAE 591-3312
(Name & Address) (Zip) (Phone)

CASHIER'S VALIDATION
FEE: \$1,083.00

OWNER SIGNATURE:

REPRESENTATIVE:

NOTE: SUBMITTAL OF AN APPLICATION DOES NOT CONSTITUTE ACCEPTANCE FOR PROCESSING UNTIL THE PLANNING DEPARTMENT REVIEWS THE APPLICATION FOR ACCURACY AND COMPLETENESS.